

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT PEARSON,

Plaintiff,

-against-

WELLPATH HEALTH SERVICES, ET AL.,

Defendants.

24-CV-1714 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is currently detained in the Orange County Jail, brings this action *pro se*. He submitted an application to proceed *in forma pauperis* (“IFP”), but he did not submit prisoner authorization. By order dated March 8, 2024, the Court directed Plaintiff, within 30 days, to either pay the \$405.00 in fees required to file a civil action in this court or submit a completed prisoner authorization. (ECF 3.) On April 17, 2024, that order was returned to the court with a notation stating, “return to sender.” On April 29, 2024, Plaintiff submitted a letter to the court (ECF 4), which was docketed in this case and in his other cases, which indicated that he was still detained in the Orange County Jail and that his address on file with the court is correct.

Because the Court’s prior order may have been returned to the court in error, the Court directs the Clerk of Court to remail a copy of the Court’s March 8, 2024 order (ECF 3), along with a blank prisoner authorization form and a copy of this order, to Plaintiff at his address of record. The Court grants Plaintiff an extension of time to comply with the March 8, 2024 order. Within 30 days of the date of this order, Plaintiff must either pay the \$405.00 in filing fees or submit a completed prisoner authorization. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

CONCLUSION

The Court directs the Clerk of Court to remail a copy of the Court's March 8, 2024 order (ECF 3), along with a blank prisoner authorization form and a copy of this order, to Plaintiff at his address of record.

The Court grants Plaintiff an extension of time to comply with the March 8, 2024 order. Within 30 days of the date of this order, Plaintiff must either pay the \$405.00 in filing fees or submit a completed prisoner authorization. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: May 3, 2024
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge